

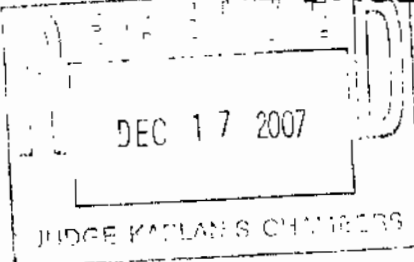


**THE CITY OF NEW YORK
LAW DEPARTMENT**

100 CHURCH STREET
NEW YORK, NY 10007

MICHAEL A. CARDOZO
Corporation Counsel

MEMO ENDORSED

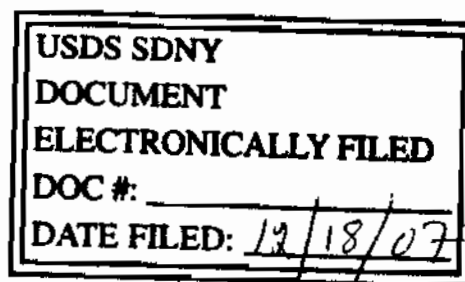


JOHN H. GRAZIADEI
Senior Counsel
Telephone: (212) 442-3551
Facsimile: (212) 788-9776

December 14, 2007

VIA HAND DELIVERY

Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

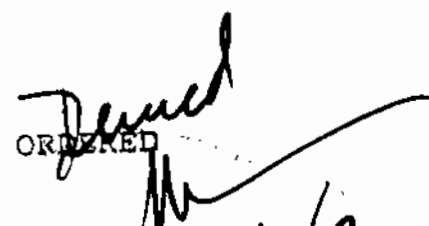


Re: *Zhao v. City of New York, et al.*, 07 CV 3636 (LAK) (MHD)

Your Honor:


Pursuant to Magistrate Judge Dolinger's Order entered December 5, 2007 ("Order"), defendants were required to produce all documents over which defendants had asserted the law enforcement privilege by December 10, 2007, including information in the open homicide investigation file and New York City Police Department training materials. However, the Local Civil Rules and Federal Rules of Civil Procedure permit defendants ten business days to request reconsideration pursuant to Local Civil Rule 6.3 or serve and file objections to the Order pursuant to Fed. R. Civ. P. 72(a). Furthermore, pursuant to the Local and Federal Rules of this Court, defendants are permitted until December 19, 2007 to file their application. On December 10, 2007, Magistrate Judge Dolinger granted defendants a stay of discovery from so much of that Order that required defendants to produce the documents from December 10, 2007 until December 14, 2007, which is five calendar days fewer than the Rules permit. On December 14, 2007, Judge Dolinger denied defendants' application for a further stay. Accordingly, defendants respectfully request that the stay be enlarged until resolution of their application pursuant to

SO ORDERED


LEWIS A. KAPLAN
12/19/07

the time permitted under Local Civil Rule 6.4 and Fed. R. Civ. P. 6 so that defendants will not be required to produce the documents before serving and filing their motion.

Respectfully submitted,



John H. Graziadei (JG 1333)
Senior Counsel

cc: Eric Siegle, Esq. (via facsimile)
Jonathan Sims, Esq. (via facsimile)